

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

IN RE:

INTERNATIONAL HERITAGE INC.

DEBTOR

CASE NO:

98-02675-5-ATS

CHAPTER 7

AMENDED APPLICATION TO RETURN OR DESTROY BOOKS, RECORDS AND
COMPUTER HARD DRIVE

The undersigned trustee respectfully shows unto the Court:

1. Trustee is faithfully administering the estate will make the second distribution to creditors before the end of 2008.
2. Trustee has preserved the physical books and records of the estate and the Debtor's computer hard drive on which additional records are stored. The aforesaid were temporarily seized and taken from his possession by the FBI pursuant to a criminal investigation and prosecution, but have since been returned to the Trustee's custody. The computer is warehoused at Country Boys Auction and Realty, Inc. in Washington, NC and the books and records are stored at Recall in Raleigh, NC.
3. Trustee is currently paying storage fees of \$204.56 per month to store 979 boxes of records. Trustee has no further need for said books and records. No useful purpose will be served by continuing to store and to preserve the same at the estate's expense. The costs to the estate to destroy the books and records at Recall will be approximately \$4,000.00.
4. Trustee has no further need for the computer, which is over 10 years old and is so antiquated as to be unsaleable. Trustee intends to abandon the computer. It will cost \$200.00 to destroy the computer hard drive prior to abandonment.

WHEREFORE, the undersigned trustee requests permission to offer said books, records and computer with hard drive first to the Internal Revenue Service, then to the North Carolina Department of Revenue, and then to the debtor's attorney, and upon failure of any of the foregoing to accept said books, records and computer with hard drive within thirty (30) days from the date hereof, that your trustee be authorized to destroy the books, records and computer hard drive.

DATED: November 20, 2008

s/s Holmes P. Harden
Trustee

CERTIFICATE OF SERVICE

I, Holmes P. Harden, Trustee for, do hereby certify that the Amended Application to Return or Destroy Books, Records and Computer Hard Drive, hereto attached, was served upon the parties listed below by mailing a copy thereof to each such party at the address indicated below with the proper postage attached and deposited in an official depository under the exclusive care and custody of the United States Post Office in Raleigh, N.C. on the 20th day of November, 2008.

/s/Holmes P. Harden

Holmes P. Harden
Trustee for Debtor
N. C. State Bar No. 9835
P. O. Drawer 19764
Raleigh, North Carolina 27619
Telephone: (919) 981-4000

SERVED:

Marjorie K. Lynch
Bankruptcy Administrator
P. O. Box 3758
Wilson, NC 27895

International Heritage, Inc.
c/o Terri Gardner
Poyner & Spruill, LLP
P. O. Box 10096
3600 Glenwood Avenue
Raleigh, NC 27605

International Heritage, Inc.
P. O. Box 1389
Raleigh, NC 27602

Internal Revenue Service
ATTN: Managing Agent
320 Federal Place
Greensboro, North Carolina

N. C. Department of Revenue
ATTN: Managing Agent
P. O. Box 25000
Raleigh, North Carolina 27640

Mike Gurkins
Country Boy's Auction &
Realty Company, Inc.
1211 West Fifth Street
P. O. Box 1903
Washington, NC 27889

Employment Security Commission
ATTN: Managing Agent
P. O. Box 25903
Raleigh, North Carolina 27611

Attorney General of the United
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U. S. Department of Justice
Washington, D. C. 20503

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